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AN ACT to amend Tennessee Code Annotated, Sections 65-1-101, 65-1-102, 2-3-203, 2-5-208(c)(1)(D), 2-8-110(a), 2-8-111, 2-10-102, and 2-13-202, relative to the election and qualifications of members of the public service commission..

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 65-1-101, is amended by deleting the section in its entirety and substituting instead the following:

There is a commission consisting of three (3) members, one (1) from each grand division of the state, known as the Tennessee public service commission. A commissioner is a state officer, and each shall serve a term of six (6) years. During the organizational session of the general assembly in 1997, a commissioner from East Tennessee shall be appointed for the state by a joint vote of both houses of the general assembly. During the organizational session in 1999, the general assembly shall, by a joint vote of both houses, appoint for the state a commissioner from Middle Tennessee and during the organizational session in 2001, the general assembly shall, by a joint vote of both houses, appoint for the state a commissioner from West Tennessee. The incumbent commissioner in each grand division shall continue to hold such office until the successor from that grand division is appointed and sworn in by the general assembly. Thereafter, the general assembly shall, by a joint vote of both houses during the organizational session, appoint one (1) commissioner biennially to succeed the commissioner whose term expires next after the previous appointment. If a vacancy on the commission occurs more than thirty (30) days from the date the general assembly is

next scheduled to be in session, such vacancy shall be filled by appointment by the governor to serve until the next session of the general assembly. The general assembly shall then, by a joint vote of both houses, appoint a person to serve for the remainder of the unexpired term.

SECTION 2. Tennessee Code Annotated, Section 2-3-203, is amended by adding the word “and” to the end of subpart (5); by deleting the language “; and” at the end of subpart (6) and substituting instead a period “.”; and by deleting subpart (7) in its entirety.

SECTION 3. Tennessee Code Annotated, Section 2-5-208(c)(1), is amended by deleting subdivision (D) in its entirety and by redesignating the subsequent subdivisions accordingly.

SECTION 4. Tennessee Code Annotated, Section 2-8-110(a), is amended by deleting the language “member of the public service commission,”.

SECTION 5. Tennessee Code Annotated, Section 2-8-111, is amended by deleting from item, (4) the language “or public service commissioner,”.

SECTION 6. Tennessee Code Annotated, Section 2-10-102(11)(B), is amended by deleting the language “public service commissioner,”.

SECTION 7. Tennessee Code Annotated, Section 2-13-202, is amended by deleting subdivision (2) in its entirety and by renumbering the remaining subdivisions accordingly.

SECTION 8. This act shall take effect upon becoming a law, the public welfare requiring it.

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